Chapter 13 Plan: 11 James B. Morris

Leilani L. Morris

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## UNITED STATES BANKRUPTCY COURT DISTRICT OF MINNESOTA

In Re:	
James B. Morris	
Leilani L. Morris	
{	CHAPTER 13 PLAN
Debtor(s)	DATED: June 29, 2004
3	Bnkrcy Case No.
5	Chapter 13

#### 1. PAYMENTS BY DEBTOR:

- a. As of the date of this plan, the debtor has paid the Trustee
  \$0.
- b. After the date of this Amended Plan, the debtor will pay the Trustee \$200 per month for 42 months, or until the creditors are paid in full. The total number of months under the Plan shall be 42. The Debtors will make a one time payment to the trustee on the sale of their home of enough to fully extinguish all creditor debt, including the cost of the trustee. Debtors estimate this to be \$14,000.
- The debtor will also pay the Trustee.
- d. The debtor will pay the Trustee a total of <u>\$1500</u>
  [line 1 (a) + line 1 (b) + line 1 (c)]

#### 2. PAYMENTS BY TRUSTEE:

The Trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the Trustee's percentage fee of 10% for a total of \$1500 [line 1 (d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the Trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

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## 3. PRIORITY CLAIMS:

The Trustee shall pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates only. The Trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beg. In Month #	Nbr of Payments	Total Payments
Attorney Fees And FFee	\$1200	\$200	1	6	\$1200
State of Minn.	. \$2300	\$200	30	12	\$500,00
					Total \$1160.00

## 4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT:

The following creditors have secured claims. Payments are current and the debtor(s) will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

## HOME MORTGAGES IN DEFAULT [§1322 (b) (5)]:

The Trustee will cure defaults (plus interest at the rate of 8 per cent annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The Trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beg. in Month #	Nbr of Payments	Total Payments
Country Wide Mortgage	\$12000.	\$200	7	24	\$4800
1110118450	4-12-004	\$8000	Upon sale of home One time paymen		

Total \$12800

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# OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§1322 (b) (5)]:

The Trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The Trustee will pay the actual amounts of default.

Creditor	Estimated Claim	Secured Claim	Monthly Payment	Beg. in Month#	Nbt of Payments	Payments
None						\$0.00
						Total S0.00

# OTHER SECURED CLAIMS [§1325 (a) (5)]:

The Trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens.

Note: Notwithstanding a creditor's proof of claim filed before or after confirmation, the amounts listed in this paragraph as a creditor's secured claim binds the creditor pursuant to 11 U.S.C. §1327 and confirmation of the Plan will be considered a determination of the creditor's allowed secured claim under 11 U.S.C. §506 (a).

Creditor	Estimated Claim	Secured Claim	Monthly Payment	Beg. in Month #	Nbr of Payments	Total Payments
None						\$0.00
						Total S0.00

Total \$12800

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# OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§1322 (b) (5)]:

The Trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The Trustee will pay the actual amounts of default.

Creditor	Estimated Claim	Secured Claim	Monthly Payment	Beg. in Month#	Nbt of Payments	Payments
None						\$0.00
						Total S0.00

# OTHER SECURED CLAIMS [§1325 (a) (5)]:

The Trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens.

Note: Notwithstanding a creditor's proof of claim filed before or after confirmation, the amounts listed in this paragraph as a creditor's secured claim binds the creditor pursuant to 11 U.S.C. §1327 and confirmation of the Plan will be considered a determination of the creditor's allowed secured claim under 11 U.S.C. §506 (a).

Creditor	Estimated Claim	Secured Claim	Monthly Payment	Beg. in Month #	Nbr of Payments	Total Payments
None						\$0.00
						Total S0.00

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#### 8. SEPARATE CLASS OF UNSECURED CREDITORS

In addition to the class of unsecured creditors specified in par. 9, there shall be a separate class of non priority unsecured creditors described as follows:

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- The debtor estimates that the total claims in this class are \$0.00.
- The Trustee will pay this class <u>\$0.00</u>.

### 9. TIMELY FILED UNSECURED CREDITORS:

The Trustee will pay holders of non priority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the Trustee not paid under par. 2, 3, 5, 6, 7, and 8 their pro rata share of approximately \$0.00 [line 1 (d) minus 2,3 (e), 5 (d), 6 (d), 7 (d) and 8 (b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in par 7 are \$0.00.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in par. 7 and 8) are \$00.
- c. Total estimated unsecured claims are <u>\$00</u> [line 9 (a) = line 9 (b)].

### 10. TARDILY FILED UNSECURED CREDITORS:

All money paid by the debtor to the Trustee under par. 1, but not distributed by the Trustee under par. 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of non priority unsecured claims for which proofs of claim were tardily filed.

## 11. OTHER PROVISIONS:

Debtors pledge all disposable income to the plan.

Upon sale of the home, the parties will extinguish all indebtedness to Mortgage holder.

#### 12. SUMMARY OF PAYMENTS:

Trustee Fee [line 2]	\$	1500
Priority Claims [line 3]	\$	3800
Home Mortgage Defaults [line 5]	S	12,000

Long-Term Debt Defaults [line 6]	\$ 0.00
Other Secured Claims [line 7]	\$ 0.00
Separate Class [line 8 (b)]	\$ 0.00
Unsecured Creditors [line 9]	\$ 0
TOTAL [must equal line 1 (d)	\$ 16,300

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Dated this 29th day of June, 2004

James Morris, Debtor

Dated this 29th day of June, 2004

Leilani Morris, Debtor Dated this 29th day of June, 2004